

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

James D. Jordan,

Plaintiff,

Case No.: 1:11-mc-006

v.

Judge Michael R. Barrett

United States of America, et al,

Respondent.

ORDER

This matter is before the Court on the Report and Recommendation (“Report”) filed by Magistrate Judge Karen L. Litkovitz on September 12, 2011 (Doc. 8). Proper notice has been given to the parties under Rule 72(b) of the Federal Rules of Civil Procedure, including notice that the parties would waive further appeal if they failed to file objections to the Report in a timely manner.¹ See *United States v. Walters*, 638 F.2d 947, 949-50 (6th Cir. 1981). No objection to the Report has been filed.

Having reviewed this matter de novo, this Court finds the Report to be correct. Accordingly, it is **ORDERED** that the Report is hereby **ADOPTED** in full. As the Report recommends (Doc. 8, 9), it is **ORDERED** that that Plaintiff’s motion to quash (Doc. 1) is **DENIED**. Respondents’ motion to dismiss (Doc. 2), which the Court construes as a motion for summary judgment, is **GRANTED**. The remaining pending motions (Docs. 3 & 5) are **DENIED as MOOT**. Finally, the Court declines to exercise supplemental jurisdiction over Plaintiff’s state claim. (Doc. 1, 5.)

¹ Notice was attached to the Report regarding objections. (Doc. 8, 10.)

IT IS SO ORDERED.

s/Michael R. Barrett
United States District Judge